

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

IN RE:)
)
BALLARD W. SMITH and) Case Number: 10-44498-abf
PAULA S. SMITH,)
)
DEBTORS.)

**DEBTORS' RESPONSE TO MOTION FOR RELIEF FROM
AUTOMATIC STAY AND CO-DEBTOR STAY**

COMES NOW Debtors, Ballard W. Smith and Paula S. Smith, by and through their attorney of record, Christina Tulipana Coen, and hereby state to this Court that the Ballard W. Smith, who was the recipient of the Assignment of Deed of Trust referred to in the Motion for Relief from Automatic Stay and Co-Debtor Stay filed by Bank of America herein is not the same Ballard W. Smith, Debtor in this action. Further Debtors have advised counsel that they have at no time had an interest, of any kind, in real property located in the state of California.

WHEREFORE, Debtors request that the relief requested in the Motion for Relief from Automatic Stay and Co-Debtor Stay be denied by this Court.

Respectfully Submitted,

/s/ Christina Tulipana Coen
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ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via email transmission, on this 12th day of January, 2011, to: Steven M. Leigh, Linh Kiet Tran, Cynthia M. Woolverton, and Richard V. Fink, Trustee.

/s/ Christina Tulipana Coen
Christina Tulipana Coen